

Message Text

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NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11 TRSE-00

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TO SECSTATE WASHDC 0728

INFO USMISSION USUN NEW YORK

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E.O. 11652: GDS

TAGS: SHUM

SUBJECT: REGIONAL HUMAN RIGHTS MACHINERY

REF: STATE 137938

1. PER INSTRUCTIONS REFTEL, MISOFF MET WITH HUMAN
RIGHTS DIRECTOR THEO VAN BOVEN TO DISCUSS QUESTIONS OF
ESTABLISHING REGIONAL HUMAN RIGHTS MACHINERY IN AFRICA.
FOLLOWING ARE RESPONSES GIVEN BY VAN BOVEN REGARDING
HIS EFFORTS TO IMPLEMENT THE NIGERIAN INITIATIVE:

2. FOLLOW-UP TO RESOLUTION 32/127 (UNGA) AND HRC
RESOLUTION 24 (XXXIV): IN REPLY TO QUERIES ABOUT ACTION
TAKEN TO IMPLEMENT THESE RESES VAN BOVEN NOTED THAT THE
DIVISION HAS ENOUGH MONEY (200,000) FOR ONE SEMINAR.
THIS SUM MUST ALSO COVER COSTS FOR HR SCHOLARSHIPS
GIVEN BY THE HRD. CONTINUING HE COMMENTED THAT NO
SITES FOR THE SEMINAR HAD BEEN SELECTED: THE VAST
SOUTHEAST ASIA REGION BEING SO DIVERSE CULTURALLY,
RELIGIOUSLY, POLITICALLY, ETC., HAS BEEN RULED OUT AS
A POSSIBILITY FOR HOLDING THE PROGRAM. (AT THIS POINT,
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VAN BOVEN BELIEVES THAT SUB-REGIONAL CONFERENCE MIGHT
BE THE BEST APPROACH FOR THAT AREA.) AS FOR
THE SOCIALIST COUNTRIES, VAN BOVEN OPINED THAT YUGO-
SLAVIA, WHICH RESISTED SUPPORTING 32/127 DURING THE GA,
MIGHT NOT WISH TO BECOME INVOLVED IN ANY REGIONAL PROGRAM
THAT WOULD PUSH THEM INTO THE SOVIET ORBIT. HE THINKS
FOR THE SAME REASONS THE ROUMAINANS MIGHT BE RETICENT.

ON THE OTHER HAND HE DOES NOT KNOW IF THE SOVIETS ARE WILLING TO HAVE A REGIONAL COMMISSION. THAT LEAVES ONLY AFRICA AS THE SITE FOR THE SEMINAR WHICH, BY THE WAY, VAN BOVEN FEELS IS WHERE IT SHOULD BE HELD SINCE IT WAS FROM THIS REGION THAT BOTH RESES ORIGINATED.

3. HRD CONTACT WITH THE OAU: USING THE RESOLUTIONS AS A BASIS, THE HRD HAS WRITTEN A LETTER TO THE OAU OFFERING ASSISTANCE IN FACILITATING THE ESTABLISHMENT OF REGIONAL COMMISSIONS ON HUMAN RIGHTS. TO DATE, NO REPLY TO THE DIVISION'S COMMUNICATION HAS BEEN RECEIVED. IN A SECOND EFFORT TO GET SOME ACTION OR REACTION FROM THE OAU ON THE ISSUE THE HRD HAS DRAFTED NOTES FOR A SPEECH TO BE GIVEN BY SYG WALDHEIM BEFORE THE OAU AT ITS SUMMIT JULY 20. THESE REMARKS ARE LIMITED TO OFFERING THE GOOD OFFICES OF THE SYG IN ESTABLISHING A HUMAN RIGHTS REGIONAL COMMISSION. VAN BOVEN EXPRESSED SOME DOUBTS ABOUT WALDHEIM'S RETAINING THE REMARKS IN HIS SPEECH. EVEN IF DELIVERED VAN BOVEN IS NOT SURE THEY WILL ACCOMPLISH ANYTHING. HE BELIEVES THAT THE OAU MIGHT NOT BE "TOO KEEN" ABOUT ESTABLISHING HUMAN RIGHTS MACHINERY. COMMENTING ON CONVERSATIONS WITH M'BAYE (SENEGAL) AND CATTO (GHANA) VAN BOVEN QUOTED LATTER (WHO IS OFFICER FOR OAU AFFAIRS IN ACCRA) AS RECOMMENDING THAT THE HRD LINE-UP THE SUPPORT OF SEVERAL AFRICAN COUNTRIES AND HAVE THEM PRESENT ARGUMENTS IN FAVOR OF HUMAN RIGHTS MACHINERY IN THE REGION AT THE NEXT OAU

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SESSION. SENEGAL, NIGERIA, GHANA AND EGYPT WERE AMONG THE COUNTRIES CATTO SUGGESTED AS BEING LIKELY TO LEND STRONG SUPPORT TO THE INITIATIVE. AT THIS POINT VAN BOVEN SAID THAT ANY INFORMAL CONTACTS THE U.S. COULD MAKE TO LAGOS ON THIS ISSUE WOULD BE USEFUL. WHEN ASKED IF THE U.S. SHOULD ENCOURAGE WALDHEIM TO INCLUDE HRD REMARKS ON THE REGIONAL COMMISSIONS IN HIS SPEECH TO THE OAU IN JULY VAN BOVEN RESPONDED THAT IT MIGHT BE A GOOD IDEA IF WE CONTACTED BUFFUM AND HAD HIM PUSH THE IDEA.

4. CONTACT BETWEEN THE OAS, THE COUNCIL OF EUROPE AND THE OAU: VAN BOVEN REMARKED THAT DURING A RECENT VISIT TO THE U.S. HE HAD MET A MR. VARGAS OF THE INTER . AMERICAN COMMISSION AND DISCUSSED THE RESES AS WELL AS ASSURING VARGAS THAT THE OAS WOULD NOT BE BY-PASSED IF THE OAU NEEDED ANY GUIDANCE OR ASSISTANCE IN SETTING UP THEIR HUMAN RIGHTS MACHINERY. IT IS VAN BOVEN'S OPINION THAT THE OAU COULD NOT USE THE COUNCIL OF EUROPE NOR THE OAS AS MODELS SINCE THESE ORGANIZATIONS OPERATIONS ARE BASED ON JUDICIAL PROCESSES WHEREAS THE AFRICANS DURING THE 1969 CAIRO CONFERENCE

LEANED TOWARD ESTABLISHING AN ORGANIZATION BASED ON THE GOOD OFFICES OF THE OAU.

5. COMMENT: DEPARTMENT MAY WISH TO EXAMINE THE REPORT OF THE CAIRO MEETING WHICH WAS HELD SEPTEMBER 2-15, 1969. SEMINAR WAS ON THE "ESTABLISHMENT OF REGIONAL COMMISSIONS ON HUMAN RIGHTS WITH SPECIAL REFERENCE TO AFRICA." DOCUMENT: ST/TAO/HR/38. END COMMENT.

6. NEAR END OF CONVERSATION MISOFF ASKED VAN BOVEN IF HRD HAD CONSIDERED MARSHALLING AFRICAN JUDICIARY INTO SUPPORTING THE ESTABLISHMENT OF HUMAN RIGHTS

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MACHINERY IN THE OAU. MISOFF POINTED OUT THAT SEMINARS SPONSORED BY THE INTERNATIONAL COMMISSION OF JURISTS IN AFRICA HAVE HAD PARTICPANTS FROM THE LEGAL PROFESSION WHO EXPRESSED INTEREST IN SOME KIND OF AFRICAN HUMAN RIGHTS ORGANIZATION. VAN BOVEN EXPLAINED THAT THIS HAD NOT BEEN CONSIDERED IN THE PAST BUT SANON (VAN BOVEN'S DEPUTY) WOULD BE ATTENDING THE SEPTEMBER ICJ CONFERENCE IN DAKAR AND PLANNED TO RAISE THE ISSUE SOMETIME DURING THE SESSION.

7. MISOFF ASSURED HRD DIRECTOR AT BEGINNING OF CONVERSATION THAT U.S. WAS NOT ATTEMPTING TO CONDUCT THE AFFAIRS OF THE DIVISION BUT WAS INTERESTED IN ASSISTING THE IMPLEMENTATION OF RESES 32/127 AND HRC 4 (XXXIV) IF AT ALL POSSIBLE OR FEASIBLE. VAN BOVEN APPEARED COMFORTABLE AFTER THIS OVERTURE AND HIS

SUGGESTIONS THAT WE INFORMALLY PURSUE LAGOS CONTACTS
ON THE ISSUE AND ENCOURAGE WALDHEIM TO RAISE THE SUBJECT
IN HIS ADDRESS TO THE OAU MIGHT BE A STEP FORWARD IN
OUR RELATIONS WITH THE HUMAN RIGHTS DIRECTOR. IN THE
PAST HE HAS NOT BEEN PRONE TO ASK THE U.S. FOR ANY FAVORS.
DURING COURSE OF CONVERSATION VAN BOVEN QUITE WILLINGLY
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DISCUSSED OTHER HR SUBJECTS AS WELL AS SOME OF HIS
CONCERN ABOUT COMMISSION AND THE DIVISION (REPORTED
SEPTEL). CONVERSATION ENDED WITH MUTUAL AGREEMENT TO
KEEP EACH OTHER INFORMED ABOUT AFRICAN REGIONAL
COMMISSIONS AS WELL AS OTHER HR MATTERS. VANDEN HEUVEL

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